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## FACSIMILE TRANSMISSION

**Total # of Pages 4 (including this page)**

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**From :** Sanjeev K. Dhand  
**Email Address :** sdhand@foley.com  
**Sender's Direct Dial :** 858.847.6860  
**Date :** January 31, 2007  
**Client/Matter No :** 023727-1701  
**User ID No :**

### MESSAGE:

Re: U.S. Patent Application Number 09/689,001

Attached Please Find:

- 1) Notice of Appeal in 3 pages

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Cover Page 1 of 1

DLMR\_299280.1

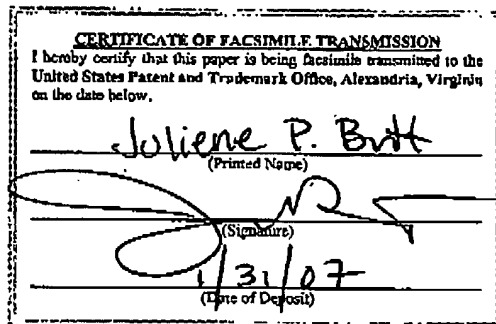
PAGE 1/6 \* RCVD AT 1/31/2007 2:44:05 PM [Eastern Standard Time] \* SVR:USPTO-EFAXF-5/0 \* DNIS:2738300 \* CSID: \* DURATION (mm-ss):01-56

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JAN 31 2007 Atty. Dkt. No. 023727-1701

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Arnett et al.  
Title: SHOCK-RESISTANT AND  
ENVIRONMENTALLY SEALED  
CONTAINER  
Appl. No.: 09/689,001  
Filing Date: 10/12/2000  
Examiner: S. Castellano  
Art Unit: 3727  
Confirmation 7673  
Number:

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated November 17, 2006, finally rejecting Claims 6-9, 12, 26, 29-31.

☒ Applicant claims small entity status.

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

☒ Notice of Appeal Fee

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☒ To be paid as detailed below

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Atty. Dkt. No. 023727-1701

☐ Not required (Fee paid in prior appeal)

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$500.00
<input type="checkbox"/>	Extension month:	\$0.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$500.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$250.00
	TOTAL FEE:	\$250.00

A credit card payment form in the amount of \$250.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Atty. Dkt. No. 023727-1701

Respectfully submitted,

Date January 30, 2007

FOLEY & LARDNER LLP

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By Sanjeev K. Dhand

Richard J. Warburg

Attorney for Applicant

Registration No. 32,327

by Sanjeev K. Dhand  
Registration No. 51,128

**Credit Card Authorization Confirmation Receipt****Client/Matter Number:** 023727-1701**Client Name:** UNDERWATER KINETICS, INC.**Matter Description:** SHOCK-RESISTANT AND ENVIRONMENTALLY SEALED CONTAINER**DenneMeyer ID:** 023727-1701**Serial Number/  
Case Information:** United States of America Patent Application 09/689001; SHOCK-RESISTANT AND ENVIRONMENTALLY SEALED CONTAINER;JEFFERY D. ARNETT, MATTHEW P THOMAS, ALAN K UKE**Amount:** \$250.00**Fee Description:** notice of appeal-small entity**Credit Card #:** VISA 4715632198995480**Authorization Code:** 848**Expiration Date:** 09/30/2009**Name on Credit Card:** Sanjeev K. Dhand**Status:** Submitted**Transaction Code:** ZNJCRQ